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TECHNICAL BULLETIN

**Volume 11. Issue 6
June 2003**

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Special points of interest:

- Asphaltic Material for pavements is now designated by a specific item number. There is no need to specify an asphaltic material in special provisions on general notes.
- Traffic Impediments need to be entered into Field Information Tracking System (FITS) by Monday prior to the road impediment to assure it makes the Construction Road Map.
- Start Work Order located in Pantry 2003/D2 directory located on N: in the office and on the C: in the field

Acquisition of Utility Interest By Local Agency

The relocation and adjustment of utility facilities represents a major effort in the successful development of a highway project. Utility companies, like highway agencies, are created to perform a specific public service. Both of these public services require transportation routes. Often these routes parallel or cross each other. When improvements are planned, conflicts may occur and adjustments are needed.



It is imperative that the impact of these highway and utility conflicts be kept to a minimum to provide services to the public at the lowest possible total cost.

As with real estate parcels, utility parcels must be acquired before a project can be let to bid. It is the responsibility of the agency acquiring the right of way to certify to the State that all real estate interests including utility interests have been acquired.

This article is intended to serve as a straightforward approach to utility acquisition by a local agency or their consultant. See Chapter 18 of the WisDOT Facilities Development Manual or the "WisDot Guide to Utility Coordination" for a more detailed explanation of some methods referred to.

Reimbursable and Non-reimbursable work

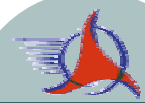
Payment for the cost of relocating utility facilities is based on the utility being able to prove and provide a land interest in the land being acquired for highway use. A thorough search of the records must be made to validate the utilities interest. Wisconsin Statutes provide a provision whereby a utility can gain an interest in a property under adverse possession or prescriptive rights. This process is explained in chapter 893.28 (2) of the Wisconsin Statutes.

The easiest way to determine if the utilities on your project are reimbursable or non-reimbursable is to review the right of way plat. Reimbursable utility locations should be shown as parcels if the plat has been properly prepared.

Basic Utility Acquisition Process

The following format outlines the basic steps to be followed for normal utility acquisition.

1. The highway agency or consultant sends the respective utility a **Notice of Reimbursable Work**. This notice includes a draft conveyance of right document, a right of way plat, two agreement forms and associated plans and cross sections.
2. The utility prepares an estimate for the cost of adjustment of its reimbursable facilities as shown on the right of way plat and returns the estimate along with the signed agreement and conveyance document to the highway agency.
3. The highway agency reviews the estimate and, if found acceptable, has the proper highway officials sign the agreement. Where federal funds are used to acquire the utility interest the proposed plan, estimate, signed agreement and conveyance document must be submitted to the DOT for approval prior to the start of any compensable utility work.
4. The highway agency returns the fully executed agreement to the utility and authorizes the utility to proceed with work. The conveyance document is sent to the Register of Deeds for recording. When the conveyance document is recorded and returned, a copy of the conveyance bearing the recording data should be sent to the utility.
5. When the utility adjustments are complete the utility will send a bill to the highway agency for the reimbursable portion of the utility work. The highway agency should review the bill to ensure it conforms to the estimate, and then pay the bill. If requested the District 2 Utility Section will review with Local Project Administration. If the agreement is an audit type, the agency may audit the utility records to verify the charges. This is optional and is not required if the highway agency is satisfied with the charges itemized in the billing.



There are two
types of Utility
Agreements,
Lump Sum
and
Audit Agreement

Utility Agreements

Utility work is normally performed under an agreement with the utility. Two documents have been developed to handle these agreements between the utility and the highway agency.

The **Lump Sum Agreement** is used for projects where work is well defined and contains no variables that could affect the cost agreed to. Once approved by all parties the work is performed and the utility is paid the lump sum amount as stated in the estimate. Currently the limit for Lump Sum Agreements on State projects is limited to \$35,000.00.

Another form of agreement is the **Audit Agreement**. Under the Audit Agreement, the utility costs may be higher or lower than the estimated amount and the utility will be paid the cost actually incurred in the relocation of the agreed work. Under the Audit Agreement, the highway agency has the right to Audit the Utility records to ensure the cost reflected in the utility's billing were actually incurred.

Time Sequence for Utility Coordination

Weeks Prior to bid letting of Highway Contract	Items of Work Note, text in italics indicate a task performed by the highway agency
26-52	<ul style="list-style-type: none"> • Right of way plat is prepared • <i>Right of way plat is accepted/approved</i> • Survey and Engineering by Utility • Utility Prepares Estimate • Utility executes forms (Agreement & Conveyance) • Estimates and Agreements are returned to Highway Agency • <i>Highway Agency reviews estimate, DOT reviews if Federal funds are used to purchase Utility Parcels</i> • <i>Agreement is signed by Highway Agency Officials</i> • <i>Utility Coordination Meeting is held</i> • <i>Contract (Agreement) is returned to Utility authorizing work</i>
20	<ul style="list-style-type: none"> • <i>Conveyance document is sent to the Register of Deeds Office for recording</i> • <i>After recording, a copy of conveyance is sent to utility by highway agency</i> • Utility performs field work per contract Every effort should be made to have utility work completed prior to highway construction • DOT reviews plans and certifies the project clear for letting
0	<ul style="list-style-type: none"> • Highway project is let to bid • Highway project is awarded • <i>Pre-construction is held</i> • Road or bridge work is performed
Completion and Payment Stage	<ul style="list-style-type: none"> • Utility prepares and submits bill for relocation work • <i>Agency reviews bill; performs audit if applicable</i> • <i>Agency makes payment</i> • Project is complete

What's wrong
with this
Picture

Answer may be
found on Page 4



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Changes to WDOT approved list for Modular Block Walls

Effective immediately the Wisconsin Department of Transportation is removing Versa-lok from the pre-approved list for modular block retaining walls. This is being done do to non-compliance to WDOT's specification on block durability by Versa-lok blocks. The contract specification states that suppliers that do not meet the freeze/thaw requirement will be removed from the pre-approved list. WDOT has reported two incidents of non compliance. Versa-lok will be allowed to supply blocks as given in the specification, for project, let before May 2003.

Versa-lok will be eligible for reinstatement after 1 year from May 1, 2003. Reinstatement would involve our normal process of pre-approval with WDOT, Bureau of Structures, Structure Development Unit.

Answer to picture question shown on page 3

The photo shows improper consolidation of concrete at the back of curb and gutter resulting in honeycombed areas in the back of the curb. Subsection 601.4.3 of the Standard Specifications requires that concrete placed in curb and gutter be "spaded against the forms, consolidated thoroughly" to prevent voids or honeycombed areas in the concrete. Although the use of mechanical vibrators is not required for placement of curb and gutter, discuss their use with the contractor and encourage their use. Vibrators consolidate the concrete more thoroughly than hand spading resulting in properly consolidated concrete